

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.29878 of 2015

Shaju Stephen Padmattumel Sebastian ... Petitioner

Vs

1. The Commissioner of Police,
Vepery,
Chennai.
2. The Assistant Commissioner,
EDR-II, Team II, Chennai
(2nd respondent is impleaded as per
the order of this Court dt.19.1.2016 made
in Crl.M.P.No.510/2016 by RPSJ) ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to register the complaint dated 31.10.2015 received by the respondent herein on 04.11.2015 and carry forward the investigation according to law.

For Petitioner : Mr.C.Rajan

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor.

O R D E R

This petition has been filed to direct the respondent to register the complaint dated 31.10.2015 received by the respondent herein on 04.11.2015 and to investigate the same in accordance with law.

2. In the petition, it is stated that the petitioner is the Power of Attorney holder of one Shaju Stephen Padmattumel Sebastian and the said power is still in force. The said Shaju Stephen is residing at Abudhabi, UAE in connection with his business. In the course of business, one Sivasri Madhavan approached him in person in the year 2010 and wanted him to invest in her company called 'Convergis Ecom Mercellc'. The said office is situated at Dubai, UAE. The said Sivasri Madhavan had represented that she is an Indian citizen and also having business at her residential address at Adyar Chennai. She had

represented various other persons who have invested in the said company and they assured returns and payment in this regard. She also told him that she is the Managing Director and owner of M/s Convergis Ecommerce LLC, which is the Insurance Company dealing in various category of insurance. She had been working along with Karthick Raj Kanagasabai. The petitioner had been depositing various amount in the said Company from 1.6.2010 to 28.6.2010 totalling 1,93,500 US Dollars valued in Indian currency rupees One Crore Twenty Seven Lakhs and Ninety Two thousand. The petitioner had invested based on the representation and assurance made by the said Sivasri Madhavan and Karthick Raj Kanagasabai. The petitioner had been in regular contact with the said Sivasri Madhavan in Dubai. Initially, Sivasri Madhavan was in contact with the petitioner and later on, she avoided the petitioner and gave evasive reply. Subsequently, the petitioner came to know that she left Dubai and settled at Adyar, Chennai. She had cheated number of persons in the same fashion. The petitioner states that the petitioner being an Indian citizen and the said Sivasri Madhavan and Karthick Kanagasabai are governed under the Indian laws, even though, the representation and investment might have arisen at Abudhabi. The petitioner sent a complaint dated 31.10.2015 to the respondent police and the respondent had received the same on 04.11.2015. Till date, no action has been taken. Hence, the present petition has been filed.

3. When the matter is taken up for consideration, learned Additional Public Prosecutor submitted that if a fresh complaint is given to the Deputy Commissioner of Police, Central crime Branch, Chennai, necessary action will be taken.

4. Considering the submission made by the learned Additional Public Prosecutor, this Court directs the petitioner to give a fresh complaint to the Deputy Commissioner of Police, Central Crime Branch, Chennai, within a period of two weeks from the date of receipt of a copy of this order along with a copy of this order. On receipt of the same, the Deputy Commissioner of Police, Central Crime Branch, Chennai, is directed to nominate an Inspector of Police to enquire into the matter and proceed with the same as early as possible. The criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

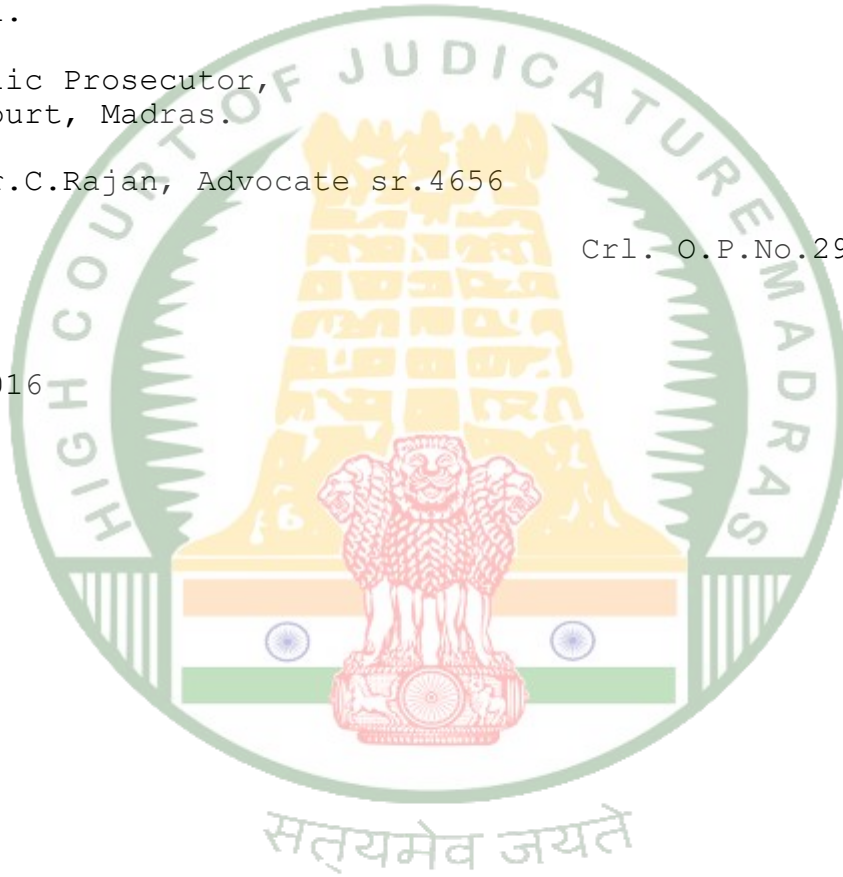
To

1. The Commissioner of Police,
Vepery,
Chennai.
2. The Assistant Commissioner,
EDR-II, Team II, Chennai.
3. The Deputy Commissioner of Police,
Central Crime Branch,
Chennai.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Rajan, Advocate sr.4656

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Lrs[co]
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